

SENATE BILL No. 428

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-26-5-1.

Synopsis: Full-day kindergarten. Requires school corporations to offer full-day kindergarten under a schedule established by the department of education. Provides that the schedule must require schools that receive Title I funding to offer full-day kindergarten beginning with the 2007-2008 school year, and all school corporations to offer full-day kindergarten beginning with the 2009-2010 school year.

Effective: Upon passage; July 1, 2007.

Simpson

January 11, 2007, read first time and referred to Committee on Education and Career Development.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

SENATE BILL No. 428

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-26-5-1, AS ADDED BY P.L.1-2005, SECTION
2 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2007]: Sec. 1. (a) A school corporation shall:
4 (1) conduct an educational program for all children who reside
5 within the school corporation in kindergarten (**subject to**
6 **subsection (e))** and in grades 1 through 12; and
7 (2) provide each preschool child with a disability with an
8 appropriate special education as required under IC 20-35-4-9 only
9 if the general assembly appropriates state funds for preschool
10 special education.
11 (b) A school corporation may:
12 (1) conduct an educational program for adults and children at
13 least fourteen (14) years of age who do not attend a program
14 described in subsection (a);
15 (2) provide instruction in vocational, industrial, or manual
16 training;
17 (3) provide libraries for the schools of the school corporation;



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(4) provide public libraries open and free for the use and benefit of the residents and taxpayers of the school corporation where permitted by law;

(5) provide vacation school and recreational programs;

(6) conduct other educational or other activities as are permitted or required to be performed by law by any school corporation; and

(7) provide a school age child care program that operates during periods when school is in session for students who are enrolled in a half-day kindergarten program.

(c) A school corporation shall develop a written policy that provides for:

(1) the implementation of a school age child care program for children who attend kindergarten through grade 6 that, at a minimum, operates after the school day and may include periods before school is in session or periods when school is not otherwise in session (commonly referred to as a latch key program) and is offered by the school corporation; or

(2) the availability of the school corporation's buildings or parts of the school corporation's buildings to conduct the type of program described in subdivision (1) by a nonprofit organization or a for-profit organization.

(d) The written policy required under subsection (c) must address compliance with certain standards of reasonable care for children served by a child care program offered under subsection (c), including:

(1) requiring the offering entity to acquire a particular amount of liability insurance; and

(2) establishing maximum adult to child ratios governing the overall supervision of the children served.

If a school corporation implements a child care program as described in subsection (c)(1) or enters into a contract with an entity described in subsection (c)(2) to provide a child care program, the school corporation may not assess a fee for the use of the building, and the contract between the school corporation and the entity providing the program must be in writing. However, the school corporation may assess a fee to reimburse the school corporation for providing security, maintenance, utilities, school personnel, or other costs directly attributable to the use of the building for the program. In addition, if a school corporation offers a child care program as described in subsection (c)(1), the school corporation may assess a fee to cover costs attributable to implementing the program.

(e) A school corporation shall offer a full-day kindergarten program in each school within the school corporation that has

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kindergarten classes. However, a parent may elect:

(1) not to send a child to kindergarten; or

(2) to send a child to kindergarten for only a half day.

~~(e)~~ (f) The powers under this section are purposes as well as powers.

SECTION 2. [EFFECTIVE UPON PASSAGE] (a) The department of education shall establish a schedule to determine when a school corporation is required to offer full-day kindergarten programs in each school within the school corporation that has kindergarten classes under IC 20-26-5-1, as amended by this act. The department's schedule must provide that:

(1) during the 2007-2008 and 2008-2009 school years, a school corporation shall offer a full-day kindergarten program in any school within the school corporation that:

(A) has kindergarten classes and is eligible to receive federal funding under Title I; and

(B) is designated to provide full-day kindergarten classes on the schedule; and

(2) beginning with the 2009-2010 school year, a school corporation shall offer full-day kindergarten programs in each school within the school corporation that has kindergarten classes.

(b) Notwithstanding IC 20-26-5-1, as amended by this act, a school corporation is not required to offer a full-day kindergarten in a school until the school is required to offer a full-day kindergarten program under the schedule established under subsection (a).

(c) This SECTION expires July 1, 2010.

SECTION 3. An emergency is declared for this act.

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